



E

668

S625



LIBRARY OF THE U.S.

6th

2d

UNITED STATES

The state of the Union viewed from a Christian stand-point.

SPEECH

OF

HON. CHARLES SITGREAVES, OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES, JANUARY 25, 1868.

The House being in the Committee of the Whole on the state of the Union—

Mr. SITGREAVES said:

Mr. CHAIRMAN: While manifold schemes have been and are being proposed in and out of Congress for the reconstruction of the States—schemes viewed from a civil or military, a partisan or fanatical stand-point—I propose to view the state of the Union from a Christian stand-point, by the light of Christianity, and by so doing I only anticipate history. From that stand-point and by that light the acts of individuals and nations of the past are now viewed and are now commended or execrated, it matters not whether the individual wore the imperial diadem of ancient Rome on his brow or the crown of a modern queen “on whose dominions the sun never sets,” or wielded the power of a great republic, proclaiming the “liberty, fraternity, and equality” of man by the bastille and the guillotine, or whether men or nations in the pride of power and lust of plunder dismembered a people and hushed every murmur by the dungeon, the mine, and the bayonet, or marched to conquest through rivers of human blood; the pen of impartial history from that stand-point has assigned to the actors their true places on the scrolls of fame or of infamy, and there they will remain by universal consent forever. From that stand-point the acts and actors in “the great rebellion” both of the conquered and the conquerors will be viewed and a record made as enduring as time, and from which posterity will not appeal. We cannot escape a record from this stand-point if we would. It is in vain to allege, as many do allege, “the atheism of the Constitution.” It is in vain to ignore the divinity of Jesus of Nazareth (as it was ignored by a member of the Thirty-Ninth Congress when he characterized “the doctrines of the sermon on the Mount”

as “a duplicate of the writings of Socrates”) and deduce from this that the men and acts of this generation will not be weighed by posterity in the scales of Christianity.

Sir, there is no atheism in the Constitution; the assertion is a foul libel on the men who framed it. They were nominally Christians. They were men or compatriots of the men who, on the 4th of July, 1776, solemnly appealing to “the Supreme Judge of the world,” in the name and by “authority of the people,” declared that the Colonies were, and of right ought to be, free and independent States; and for the support of that declaration, “with a firm reliance on the protection of Divine Providence,” mutually pledged their lives, their fortunes, and their sacred honors. The framers of the Constitution met, not to declare the religious belief of the people, but to frame a civil compact between the States, to be ordained, established, and ratified by the people of the United States through State conventions. But while the framers of the Constitution ignored a declaration of religious belief, they required an official oath or affirmation—a sanction which would not be required by a convention of atheists in the provisions of an atheistic Constitution, for no oath or affirmation could be binding on the conscience of an atheist, as he could swear by no one greater than himself. Sir, the idea that the men of the Revolution framed or intended to frame an atheistic Constitution for themselves and their posterity is at war with the sentiments of the people they represented, expressed through their Colonial laws—at war with the frequent and fervent national appeals to Almighty God that He would give success to their arms in the mighty conflict for independence—at war with reason. I do not believe it possible that a sane man can be an atheist. I believe, with the great Apostle of the Gentiles,

uttered eighteen centuries ago, that the works of creation and the laws of nature manifest the invisible power and Godhead of an Almighty Creator—a fact thus beautifully expressed in song by the gifted Addison:

“The spacious firmament on high,
With all the blue ethereal sky,
And spangled heavens—a shining frame—
Their great Original proclaim.

“The unwearied sun from day to day
Does his Creator’s power display,
And publishes to every land
The work of an Almighty hand.

“Soon as the evening shades prevail
The moon takes up the wondrous tale,
And nightly to the listening earth
Repeats the story of her birth;

“Whilst all the stars that round her burn,
And all the planets in their turn,
Confirm the tidings as they roll,
And spread the truth from pole to pole.

“What, though in solemn silence all
Move round this dark terrestrial ball!
What, though no real voice nor sound
Amidst their radiant orbs be found,

“In reason’s ear they all rejoice
And utter forth a glorious voice,
Forever singing as they shine
The hand that made us is divine.”

There were infidels among our fathers, as there are infidels among their sons, but no atheists.

The questions, then, are—was “the Supreme Judge of the world,” recognized and appealed to by our fathers in the hour of their peril, the God of the Christian or the God of the infidel? Are we, and have we ever been, a Christian nation? Sir, the acknowledgment of the revealed law incorporated in the municipal rules of action of the Colonies and States; the fifty-four thousand houses of public worship throughout the length and breadth of the land dedicated to the living God; the observance of the Christian Sabbath by the Congress, the State Legislatures, and the people; our modes of thought and our ideas of right and wrong, molded by the precepts of the revealed law; our varied institutions for the relief of suffering humanity; our measurement of time, not from the creation of the earth nor the hegira of Mahomet, but from the birth of Christ; our position as a Christian people in the family of nations, accorded to us by universal consent—all proclaim that “the Supreme Judge of the world” to whom our fathers appealed, and who led them, as it were, in a pillar of cloud and fire through the storm and darkness of the Revolution, was the God-man of whom it was predicted before His incarnation at Bethlehem that His name should be called “Wonderful! Counselor! The Mighty God! The Everlasting Father! The Prince of Peace!” This and every enlightened nation on earth now bows before His altars and acknowledges the truth of His revelation and god-head; every advance

in science confirms this revelation: the astronomer views it in the stars, the geologist sees it recorded in the rocks, the philosopher reads it in the laws of nature, the student finds it in the accomplishment of prophecy, and we can all now see, even without the visions of the seer, that His dominion over the earth will be “an everlasting dominion.”

By the light, then, of Christianity will the acts and motives of men and nations be viewed and recorded in all future history. Would to God that the recording angel could drop a tear on the record of the last decade of years and “blot it out forever.” Would to God that the people North and South had listened to the teachings of Him whose advent was announced by the song of angels as an advent of “peace on earth and good will to men,” whose mission was a mission of love, and who taught us to pray “forgive us our trespasses as we forgive those who trespass against us;” then we should not mourn a dismembered Union and the blood of five hundred thousand of our sons shed in fratricidal strife on a hundred battle-fields.

Ten years since, this Republic, in the resources of her varied climate, in the liberty and happiness of her citizens, in the energy of her sons, in the observance of law and order, stood without a peer among the Governments of the earth; her destinies shaped under God by Democratic men and measures, marched to a power and freedom that has no parallel under Heaven.

What is the state of the Republic now? A desolated South, a broken Union, ten States governed by the iron hand of a military despotism; a taxation which sits like an incubus on the industry and energies of the whole people; public lands sufficient for the territories of a vast empire (the common inheritance of the people) given to incorporated companies; a national debt created in four years greater than England, with her thousand ships and long and bloody wars waged to maintain the balance of power in Europe, has been accumulating for the last two centuries; the compacts of the Constitution violated by legislation and public faith laughed at.

Why is this? Why, in the short space of ten years, has this Eden of national political happiness been turned into an earthly hell? Why? Because the accursed serpent of radicalism was permitted to enter the sacred portals of liberty. We listened to his promise, “Thou shalt not die.” We ate of the forbidden fruit, and the result was sorrow and mourning, desolation and death. The radical well knew that the only weapon which could accomplish his hellish work of war and disunion was the weapon of hate. The radical of the South inculcated a political and moral hatred of the North, argued the right of secession as no infraction of the Federal compact, and appealed to the ambition and greed of the great southern heart. The radical of the North inculcated a moral

and political hatred of the South in the forum, in the press, and finally by scattering the Helper book, indorsed by sixty members of Congress, as a campaign document broadcast over the land—a book intended to excite sectional hatred, massacre, spoliation, servile and fratricidal war.

The Democratic party stood, as it always had stood, for the Constitution and the Union, between "the living and the dead, and the plague for a while stayed." They appealed to the people by the memories of their fathers and the glories of the old flag. The representative radical proclaimed that flag "a flaunting lie." By the compacts of the Constitution the representative radical proclaimed that Constitution "a covenant with death and a league with hell." By the blood of our sons, threatened to be shed in a fratricidal war, the representative radical proclaimed that blood-letting was necessary. In vain they told the people that sectional hatred would dissolve the Union, and made every effort to save that Union by compromises, by an appeal to that law of love which God implanted in the bosoms of our fathers when they established and ordained the Constitution. Their voice was unheeded. The radical derided them as "Union-savers," and told the people that there would be "no rebellion, no dissolution of the Union;" and when at last the power of the Democracy went down under the triumph of a sectional party, inspired by sectional hatred, elected by a minority of the people, the die was cast and the result was disunion and blood. The result we feel in every section of this broad land, and it will be felt by generations yet unborn. Such has been the result of the radical doctrine of hate, in opposition to the precepts of the Christian gospel of love.

The die was cast; the flag of the Union was unfurled; from every hill and valley of the North our sons gathered around that flag, determined that not a star should be torn from that glorious banner. They marched to sustain the Constitution and maintain the Union. The representatives of the nation, with, I believe, but two dissenting voices, declared by solemn resolution—

"That this war is not waged on our part in any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired."

This declaration was a solemn pledge to the South in the name of the North and the nation, a pledge to the world—a covenant with the gallant men who marched to sustain the old flag, and poured out their hearts' blood in its defense. Under that pledge our sons pressed to the conflict, under that pledge they fought,

under that pledge they died; by that pledge we obtained men and money from the North, and by that pledge we constructed and strengthened a Union party in the South. Had the war been waged for the purposes now declared our sons had not died. Surely in the eyes of that God who will hold nations as well as individuals responsible for violated faith and broken pledges the radical will be held responsible for the blood of our sons. Sir, when the Union soldier met the rebel in deadly conflict, the one to sunder the Union, the other to maintain it, who does not know that if the radical had then proclaimed in any city of the North what he now proclaims, that the war was waged for the purposes of conquest, and when the war ended by the triumph of northern arms, the States in rebellion would be declared "conquered provinces" and given over to negro domination, he would have been denounced as a sympathizer with the South, as a traitor who would create disaffection in the Army, disloyalty among the people, and he would have been hung unshriven to the nearest lamp-post by a loyal mob.

Mr. Chairman, I never had any sympathy with the monstrous heresy of secession. I gave my time and means and only son to aid in crushing the rebellion and maintaining the Constitution and the Union. I regard that Constitution, and the Union guaranteed by that Constitution, as a sacred gift of God to our fathers, to be bequeathed intact to the teeming millions of posterity who will live and die under the flag of the Republic. But I do have a sympathy for the honor and faith of my country. I hold that the faith of a nation should be sacred under all circumstances. I would have the faith of my country, like "Cæsar's wife, not only pure, but unsuspected." I hold that the legislator in the legislative hall should maintain faith and honor in his legislative acts, as he would maintain his own personal faith and honor. Take away the faith and honor of a Government and you take away from that Government all that is desirable in the eyes of God or man. In the light of Christianity I charge the radical, when he proclaims that the States lately in rebellion are "conquered provinces," that they are out of the protection of the Constitution, out of the Union, and places them under a military despotism, with a gross violation of the national faith, solemnly plighted by the representatives of the nation on the floor of Congress, I charge him with an infraction of the plainest precepts of Christianity, and believe that for this infraction God has brought upon us as a nation the curse and punishment due to the covenant-breaker.

How was this pledge of a Christian nation redeemed? Under it our young men gathered to the fight; under it some States were saved to

the Union; under it the battle was fought, the victory won; every drop of blood that was shed was to maintain, not to destroy, the Union. Secession and its champions are trampled in the dust. A radical Congress assemble and pass acts for the government of the States lately in rebellion as conquered provinces, and radical leaders declare that "the liberty, property, and lives of the conquered are at the mercy of the conqueror by the laws of war." What laws of war? Not the laws of war ameliorated by the humane teachings of Christianity, but laws of war which justified the Tartar Khan in rearing his pyramid of a hundred thousand human skulls; laws of war which justified slavery; laws of war, recognized and established by robber chieftains and Russian feudal lords, when might was right and vengeance a virtue. The Thirty-Ninth Congress did by legislation what the southern traitors by force of arms could not effect, a dissolution of the Union; the Thirty-Ninth Congress reenact what the rebel confederacy enacted, that an act of secession puts the seceding States out of the Union; the Thirty-Ninth Congress resolved that the seceding States should be kept out of the Union by the bayonet; the seceding States attempted to keep those States out of the Union by the bayonet, a heresy against which we protested, and against which we struggled in a four years' war in fields of blood and carnage unparalleled in the history of modern warfare.

Sir, the Christian patriot and statesman, revering the compacts of the Constitution, will say, as the nation said during the great rebellion, that no State can put itself out of the Union either by peaceable secession or by force of arms. We appealed to the God of Battles and God gave us more than a victory of arms—He gave us a repentant people. The Southron had been educated in an idea that his paramount allegiance was due to the State. He fought for that idea. He was defeated. He offered to purge his heresy by an oath that he would support and defend the Constitution and the Union. The radical spurned the repentant sinner. His cry was hate and vengeance. Sir, any Government would have hailed the return of its prodigal children as a matter of policy except a radical Government. The patriot who loves his country should hail it; the statesman who would have the Republic perpetual in the love of her citizens should hail it. A Christian republic, acting in accordance with the benign principles of the Man of Calvary, would rejoice that this "my son was dead and is alive again; he was lost and is found."

Mr. PRICE. Will the gentleman from New Jersey allow me to ask him a single question?

Mr. SITGREAVES. Yes, sir.

Mr. PRICE. The gentleman is referring to the history of the prodigal son. As he is

speaking from a Christian stand-point I would like to know whether he wishes us to understand that the rebels who took up arms against the Government occupy to-day the position of the prodigal mentioned in the Scriptures?

Mr. SITGREAVES. The great mass of them.

Mr. PRICE. That is all I wanted to know.

Mr. SITGREAVES. I resume at the point where I was interrupted.

I never doubted the honor, patriotism, and magnanimity of the nation. I know that the nation would have hailed the return of these erring children, and thus bound them to the Union by chains of love, stronger than adamant, forever. I say "the Union," for they were bound to our republican form of government by education and instinct. They did not wage war against "a republican form of government," but against the Union; they warred for the preservation of their property in slaves; they adopted a constitution as republican in form and spirit as the Constitution of 1787. There was no reason to doubt their devotion to a republican form of government; the indissolubility of the Union was the rock on which they split. Yet when they were willing to renounce this heresy and give freedom to the slave, we rejected their advances with scorn; and although beggared and disarmed, incapable of making either an aggressive or defensive war, we subject them to all the horrors of a military government, to be followed by political subjection to a race of men just emerged from slavery, under the pretense that they "are opposed to a republican form of government."

Mr. Chairman, a code of laws framed in a spirit of hatred is bad policy in every Government, but suicidal in a republic. The pages of history tell us that no monarch, no nation, can violate the Christian laws of love with impunity by the administration of oppressive laws. Where is the individual or nation who has been taught by oppression to love the oppressor. Look at Ireland. Has oppression taught her sons to love the hand of her Saxon tyrant? Centuries have passed away since the independence of Ireland was trodden down in the blood of the O'Connors and ten thousand Irishmen on the fatal field of Athlinn; for centuries their loyalty has been enforced by the bayonet; yet at this hour the sons of Ireland in every land only bide their time when they can crush their oppressors. Centuries have passed away, yet hostility to their oppressor and hatred to the union with Great Britain have been transmitted as an heir-loom from father to son, (a fact known to the world and candidly admitted by Mr. Gladstone in a recent speech to his constituents.) This undying faith in the redemption of Ireland, this undying hatred to the oppressor and soul-longing for the resto-

ration of the green flag, is thus truly expressed by an Irish bard :

"The Irish mother, as she pressed
The warm, full nipple to her breast,
Thus lullabied her babe to rest:
 'Twill rise again.'

"It crossed the sea, the Irish race,
Uprooted from their dwelling place,
Came here new destinies to face—
 It rose again.

"Oh, generous, proud, and gallant race,
So often rash, so rarely base;
Sure as the bright sun holds its place
 'Twill rise again.

"The old green flag, the good old cause,
Despite the cheek of cramping laws,
Shall yet obtain the world's applause,
 When risen again.

"Wherever England's flag may float,
Or slaves may wear her scarlet coat,
Leap, Fenians, at the tyrant's throat,
 And try again!"

Ah, when the time shall come when England shall be compassed with hostile fleets or her throne rocked in the throes of revolution, her statesmen will then know that Ireland should have been governed by the Christian law of love. And that time will come. The green flag "will rise again;" the Irish harp, so long silent in Tara's halls, will sound the jubilee of Irish freedom.

Acts of hatred by individuals or nations are visited, sooner or later, by the retributive justice of Heaven—to the individual by the halter, the penitentiary, or the undying, withering scorn of men, as in the case of the jailor of Andersonville; to the nation by revolution, rebellion, demoralization of the people, or destruction of their material interests. Cotton was once king; it gave us the balance of trade, it erected our manufactures, and spread the sails of our merchant ships on every ocean. The insane hatred of the Thirty-Ninth Congress, by a refusal to restore the Union and by the imposition of an onerous tax on cotton, has not only driven that great staple of the South from the markets of the world, but has driven it away forever. We have the testimony of a Republican Senator on the floor of the Senate that the British manufacturers now produce from India cotton an article equal to the American staple, and he feared we had lost this great interest forever; and so we have, for the vast lands of the British Empire, capable of producing that staple, will hereafter supply the world. The Thirty-Ninth Congress have dethroned cotton as king of trade; but at what a cost!—starvation of the Southern people, stagnation of Northern capital, and destruction of a great national resource of the nation for all time to come.

Official dishonesty was once the exception, now it is the rule. The gross violation of the national faith and disregard of constitutional rights by the Thirty-Ninth Congress have produced their legitimate fruits in an official cor-

ruption that has no parallel among men. But a few days since the astounding and humiliating fact was proclaimed on the floor of this House by the able chairman of the Committee of Ways and Means [Mr. SCHENCK] and the eloquent member from Illinois, of the same committee, [Mr. LOGAN,] that it was impossible to collect the whisky tax through the authorized agents of the Government; that the major part of the great army of revenue officials were composed in effect of double rectified rascals. And, sir, these declarations are true. The hard-handed laborers, the industry of the country, pay an annual tax of millions to fill up the deficit made by these stupendous official frauds.

Legislation inspired by hate—denunciations of hatred in and out of Congress, ignoring the law of love by giving free rein to the unbridled passions of men, inculcation of revenge in the press, upon the stump, and in the legislative hall—has resulted in a fearful demoralization of the people. Violence, rape, fraud, and arson stalk rampant throughout the whole land. The Police Gazettes record the fact that not a day passes without the shedding of blood by the hand of the murderer.

The spirit of hate inaugurated by the radicals, North and South, during the rebellion and perpetuated by the Thirty-Ninth Congress, in the names of "loyalty, liberty, and humanity," has invaded even the sanctuaries of the Most High—men wearing the livery of the court of heaven, ordained to minister at the altars of Him who summed up all the commandments in one great law of love, preach all the uncharitableness of party hate, blasphemously incorporate it in their prayers, trail the standard of the King of Kings in the filthy mire of politics, and "crook the pregnant hinges of the knee" to Caesar, and they have their reward. Surely there is no more pitiable sight on God's footstool than the modern political priest. Angels must view such treason to Jesus with amazement, the true Christian with abhorrence, and even the radical, while "he loves the treason, must despise the traitor."

Sir, who does not know that hatred is the corner-stone on which every measure of reconstruction is based? The animus is seen in almost every speech on reconstruction. No measure has been proposed or passed without an appeal to the bitter passions engendered in the late conflict of arms. An appeal to this fell spirit by radical legislators, a radical press, and radical priests has enabled the radicals to tear ten stars from our glorious old flag, and to enthrone a government of the bayonet over the ruins of the Constitution in ten States; while the firmness of one man, under God, prevented the establishment of a military government in every State of this Union. I allude to the act of Congress of the 6th of February, 1866, to amend the Freedmen's Bureau, extending mil-

itary jurisdiction to all parts of the United States containing freedmen or refugees. I need not say that this embraced, or could in a day be made to embrace, every State in this Union, loyal or disloyal. This bill intended to subvert the constitutions of the States, strike down the right of trial by jury, and trample down the God-given liberties of the people under the heel of military power—this bill, which, in violation of the plainest precepts of the Constitution, placed the military above the civil power—this bill, intended to give the President the power of an autocrat, and which was passed by every Republican vote in both Houses, only failed to become a law by the patriotism and firmness, under God, of that President. Such is the recorded act of the intentions of a Republican Congress, and there it will stand on record forever as a warning to future generations of the madness and danger of partisan legislation inspired by partisan hate.

Mr. Chairman, the great leader of the Republican party in this House [Mr. STEVENS] has introduced a bill, intended as a model school for all the schools in the nation, requiring that the equality of man enunciated in the Declaration of Independence shall be inscribed "in large capitals," on "unfading material," over the main entrance of every school-room, and cause it to be recited at least once a day by the students; and that over every school cemetery should be inscribed the "immortal words:"

"Pallida mors equo pulsat pede pauperum tabernas regum turres."

Sir, I would advise that this bill of the 6th of February, 1866, providing for the extension of military jurisdiction in all the States, should be engraved on tablets of bronze or marble and placed in every legislative hall, that future legislators may read it as a Republican commentary of a Republican Congress on the powers of the Constitution, and over the grave of radicalism, now being dug so deep that there will be no resurrection, I would inscribe "on unfading material:"

"Quem Deus vult perdere prius dementat."

I have said that this attempt to establish a military jurisdiction in all the States was only prevented, under God, from becoming a law by the patriotism of Andrew Johnson. From the hour that Andrew Johnson returned that bill to the Senate with his veto he has been hunted by the bloodhounds of party hate with a ferocity unparalleled in the modern history of partisan warfare. That veto is the key to impeachment; that veto was in reality the "high crimes" of which he was guilty in the eyes of the Radicals; that veto explains why the legislative would curtail the executive power of the Government; that veto explains the astounding fact that a member of the House of Representatives was permitted unrebuked to proclaim before the nation and the world the

atrocious charge that Andrew Johnson, President of the United States, was accessory in the murder of Abraham Lincoln.

Andrew Johnson does not hold his high position by my vote or by the vote of the Democratic party, yet I cannot but admire the man for honestly adhering to the principles for which the war was waged. I admire the man as he stands erect and undismayed, for the compacts of the Constitution and for the restoration of the Union, against party hate enunciated by a partisan press and a partisan Congress, firm and unyielding as a rock in the ocean lashed by the fury of the tempest.

It will not be denied that a party has existed since the days of Alexander Hamilton in favor of a construction of constitutional power in favor of the Federal Government and against the reserved powers of the State. It will not be denied that the Democratic party have ever been the champions of the reserved rights of the States, while at the same time they maintain in letter and spirit every power delegated to the Federal Government. By these principles of the Democratic party the Government has been administered and its policy shaped. Under God that grand old party has placed this Republic in the van of nations. That policy was a strict adherence to the letter and spirit of the Constitution.

Sir, I believe, with the Democratic party, that the Constitution is a masterpiece of wisdom, capable of embracing a continent or a world; that it is a constitution of checks and balances—checks against despotic powers, a triple government of legislative, executive, and judicial branches; that you cannot impair the power of one without disturbing the harmony of all; that centralization of the powers of the Government in one branch is a despotism.

Sir, the Constitution of our fathers was founded on the Christian law of love; it was a work of compromise, glorious in its inception, intended to be as lasting as time; a sacred covenant which no man under its protection can break without meeting the retributive justice of heaven. The men of the South attempted to break this heaven-born compact, and their land is desolate, their people beggared, and mothers weeping in almost every household, and will not be comforted because their sons are not. The very instincts of the people of the North are to maintain sacred the compacts of that Constitution in all their entirety in letter and spirit; for this they poured out their blood and treasure as no other people have done. They were earnest in the war for the Constitution to the death; they are earnest now. I am not a prophet nor the son of a prophet, but I predict to the dominant party in this House that if you carry out infractions of the Constitution, by bills of reconstruction and confiscation and legislative centralization,

before ten years have run their course you will as a party be ground to powder between the upper and nether millstones of the States and the people.

I said the Constitution is a compact; it is a covenant with the States, a covenant with the people, and a covenant with the individual man. Constitutions are made for minorities, not for majorities. Under the ægis of that covenant the wood-sawyer in your streets, the pioneer wood-cutter of the West in his log cabin, has rights as sacred as the shoddy millionaire in his brown-stone palace; these rights all the power of a Congress or a State Legislature cannot destroy under any pretense whatever. In these rights he should be protected against the world. Sir, if there were but a single loyal man in the South who had rights under that covenant before the rebellion, when you strike down those rights and place him under a government of the bayonet, and say that his life, liberty, and property may be disposed of without due process of law, you violate the most sacred rights of a citizen of the Republic; and when you violate the rights of one you violate the rights of all; you stab liberty at the very horns of her altar.

When you strike down that great bulwark of the right of the citizen against executive or legislative despotism—the great writ of *habeas corpus*—extorted from a tyrant king at Runnymede, and incorporated in our Constitution, you violate his constitutional rights, and you again stab liberty at the very horns of her altar. When you ignore constitutional law to legislate for partisan power or partisan hate you display to the world an inconsistency, an ignorance, and a folly that must retard the advance of republican principles and strengthen the thrones of kings. We see it in every bill of reconstruction. While you curse England with a grievous curse for recognizing the rebel confederacy as a “belligerent power,” you bless the great “Commoner” of this and the last Congress with a heartfelt blessing for his new version of international law that the rebels were a “belligerent power,” which alone could make them “conquered provinces.” Under the great law-giver of Israel half the tribes stood on Mount Gerizim to bless the good, and half on Mount Ebal to curse the evil; it was reserved for the modern Radical Levite to denounce the alternate curse and blessing of Heaven on the same principle and the same act.

Congress, under the inspiration of Radical leaders, forgot the fact, settled for ages, that if a people engaged in war are belligerents they cannot be traitors, and if traitors they cannot be belligerents, and legislate against these people as belligerents and at the same time refuse them representation as traitors.

Radical statesmen seem utterly oblivious and sublimely ignorant of the fact that they expose themselves to the derision of every

well-read lawyer on earth when they urge the legislative branch to declare the rebels as belligerents, and at the same time urge the judicial branch to try the rebel chief as a traitor.

Mr. Chairman, I do not believe that the sacred ark of our liberties can be overthrown by armed traitors or a hostile world. I do not believe it can be overthrown by the Executive, because he has no aggressive powers; I do not believe it can be overthrown by the judiciary, for they have no aggressive power; but I do believe that it can be overthrown by a foe more potent than armed traitors or a hostile world—that foe is constructive power. All writers on mixed forms of government agree that the legislative branch is aggressive; and it was against this aggressive usurping power of the Legislature that the barriers of the judiciary were erected. Sir, it is no wonder, then, that the nation was startled at the assumption of power by this Congress, first by a bill requiring a two-third vote of all the justices of the Supreme Court, and finally by a bill forbidding the Supreme Court by even a unanimous vote to declare an act of Congress unconstitutional. Sir, precedent begets precedent, and this precedent would enable any Congress to overturn the Republic.

Mr. PILE. Will the gentleman allow me to ask him one question?

Mr. SITGREAVES. Yes, sir.

Mr. PILE. The gentleman has spoken, as I understand, of the protection of the rights of loyal men in the South. I wish to ask the gentleman whether those loyal men, white and black, in the South, do not ask Congress for their protection to overthrow and repudiate those State governments set up by Mr. Johnson, and reconstruct those States upon the policy of Congress?

Mr. SITGREAVES. The gentleman has misunderstood me. I was speaking of loyal men who were entitled to the rights guaranteed by the Constitution prior to the rebellion.

Suppose your reconstruction schemes are carried out by giving the domination of the southern States to the black man, and some future partisan Congress should find it necessary to disfranchise a State in order to maintain their power—they declare that New York, Ohio, or Pennsylvania have no republican form of government because they have not given suffrage to the negro—they may enact (as they would have a right to do under this precedent) that the Supreme Court shall not decide the unconstitutionality of an act of Congress without the concurrence of every member of the bench, and one justice would thus control the action of the court. That one justice could be found. Human nature is the same in every age. The despot James II found a Jeffreys to execute his hate and bathe the crime of a chief justice in the blood of judicial murder; and party malice can find Jeffreys now to exe-

cute party hate. Or Congress may declare (as this Congress have declared) that they have the exclusive power to decide the form of a State government, and in either case the result would be that the people of New York, Ohio, or Pennsylvania would be disfranchised and placed by some reconstruction act under a government of the bayonet, and could not appeal from this damning outrage. Sir, this very argument will be used by the radical when the southern States are reconstructed on a negro basis.

Sir, before this constructive power claimed by Congress to overthrow the judiciary—that august bulwark against despotism; that pride and glory of American people—all other powers claimed by this and the last Congress shrink into insignificance. Sir, I ask any member of this House, Conservative, Radical, or Democrat, if the framers of the Constitution ever intended to confer such a power on Congress? I ask, if it had been incorporated in the Constitution, if the people of the States or the people of a single State would ever have ratified it? Yet this is the Constitution you would give to your children—a power in Congress to disfranchise a State, and place the lives, liberties, and property of its citizens under military rule upon the same pretense now urged for the passage of reconstruction bills, and without appeal to any human tribunal. Sir, the time is rapidly approaching when these “glittering generalities” about “republican form of government” and “liberty, equality, and loyalty,” which now conceal the schemes of reconstruction, will be torn from radicalism like the glittering vail from the face of the false prophet of Khorassan, and the people will see the face of a hideous serpent.

Yes, sir, there are modes of overturning the Constitution by violating its spirit while adhering to its letter. It was done in New Jersey. The late constitutional amendments were never submitted to the people. The Legislature was convened in extra session but two months before the annual election, to prevent that submission and to pass these amendments, and they did pass them. This act of the New Jersey Legislature was in strict accordance with the letter, but who will say that it was not a gross violation of the spirit of the Constitution? thus showing that the organic law may be altered not only without the knowledge but against the will of the people. Yet this action of the New Jersey Legislature was ap-

plauded by men who disfranchised ten States because they had “no republican form of government.”

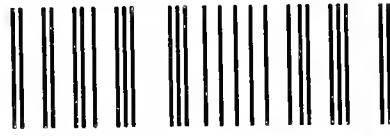
Such are a few of the many fruits of reconstruction. Sir, we want no reconstruction; we want restoration. This Congress can restore the Union in an hour, and thus confirm the principles of and obey the behests of that great Magna Charta of the American States and the American citizen—the Federal Constitution.

Continue your insane policy of reconstruction, based on the corner-stone of partisan hate and partisan ambition, those accursed principles which impel Satan in every conflict with God and man, and so correctly personified in Milton’s Portress of hell; carry out your policy of striking down the independence of the judiciary and the constitutional powers of the Executive, and so sure as effect follows cause so sure will this Republic be drowned in a sea of blood, so sure will the fairest temple of human liberty that the sun of heaven ever shone upon go down with a fall that will shake the nations, and you and your children and the hopes of human freedom will perish alike in the mighty ruins.

But disband your southern army; restore the Union of the States; let your legislation now and henceforth be inspired by the law of Christian love, by that heaven-born charity which alone recognizes the true brotherhood of man; forgive your brother his trespasses as you hope to be forgiven; let the sublime doctrines of Him who spake as never man spake permeate every law; let the ministers of the living God burn no more unhallowed incense on His altars, but teach the people that “Righteousness exalteth a nation, but sin is a reproach to any people.” Then the voice of disunion will be heard no more in our borders; then, with the eye of undoubting faith, we can look through the cycles of coming ages and behold this great Republic standing immutable in her strength, waving her glorious flag, emblazoned with a hundred stars, over these States, over the British Provinces, over the land of the Montezumas, and the Antilles islands of the sea, the great symbol of human freedom and the sovereignty of God as the Ruler of the nation, until the last seven thunders shall utter their voices, until the heavens shall be rolled together as a scroll, and the elements shall melt with fervent heat.



LIBRARY OF CONGRESS



0 013 789 941 3